

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF INDIANA

[This form is for non-prisoners to file a civil complaint. NEATLY print in ink (or type) your answers.]

Eriberto Flores

[You are the PLAINTIFF, print your full name on this line.]

v.

City of East Chicago Indiana

[The DEFENDANT is who you are suing. Put ONE name on this line. List ALL defendants below, including this one.]

Case Number 2:23-CV-143

[For a new case in this court, leave blank.
The court will assign a case number.]

[The top of this page is the caption. Everything you file in this case must have the same caption. Once you know your case number, it is VERY IMPORTANT that you include it on everything you send to the court for this case. DO NOT send more than one copy of anything to the court.]

CIVIL COMPLAINT

#	Defendant's Name and Job Title	Address
1	[Put the defendant named in the caption in this box.] <u>Isaac Washington</u> <u>Detective East Chicago Police Dept.</u>	<u>2301 E. Columbus Drive</u> <u>East Chicago, Indiana</u> <u>46312</u>
2	[Put the names of any other defendants in these boxes.] <u>Ricardo "Ric" Chavarria</u> <u>Director of Security for the</u> <u>School City of East Chicago</u>	<u>1401 E. 144th St.</u> <u>East Chicago, Indiana</u> <u>46312</u>
3		

[If you are suing more defendants, attach an additional page. Number each defendant. Put the name, job title, and address of each defendant in a separate box as shown here.]

1. How many defendants are you suing? 10

2. What is your address? 4842 Magoun Av. East Chicago
Indiana 46312

3. What is your telephone number: (219) 397-4842

4. Have you ever sued anyone for these exact same claims?

No. This is for false imprisonment of attempted
murder.

Yes, attached is a copy of the final judgment OR an additional sheet listing the court, case number, file date, judgment date, and result of the previous case(s).

[DO NOT write in the margins or on the back of any pages. Attach additional pages if necessary.]

FILED

APR 26 2023

Al Chanda J. Berta, Acting Clerk
U.S. DISTRICT COURT
NORTHERN DISTRICT OF INDIANA

CLAIMS and FACTS

DO: Write a short and plain statement telling what each defendant did wrong.

DO: Use simple English words and sentences.

DO NOT: Quote from cases or statutes, use legal terms, or make legal arguments.

DO: Explain when, where, why, and how these events happened.

DO: Include every fact necessary to explain your case and describe your injuries or damages.

DO: Number any documents you attach and refer to them by number in your complaint.

DO NOT: Include the names of minors, social security numbers, or dates of birth.

DO: Use each defendant's name every time you refer to that defendant.

DO: Number your paragraphs. *[The first paragraph has been numbered for you.]*

1. City of East Chicago is aware that their Police Department arrested the wrong Person and that all charges against me have been dismissed.
2. East Chicago Police Department has not returned items taken from my house. Has ignored the Court order to return all items. They also destroyed Doors and items during their illegal search and seizure, on April 29th 2021.
3. Chief Hector Rosario failed to train his officers in proper procedure.
4. Officer Buchanan arrested me on April 27th 2021 at 12:10 PM without probable cause. No reason was given to me why I was being arrested. My mother Elvira Flores and my Nephew Brady Purcell were present when I was being arrested on 148th off of Indianapolis Blvd in East Chicago.
5. Officer Zamora assisted in my arrest threatening to shoot me in the face with Stun Gun.

[DO NOT write in the margins or on the back of any pages. Attach additional pages if necessary.]

Claims and Facts (continued)

6. Detective Isaac Washington did not speak to me until April 29th 2021 while I was still in custody. In East Chicago Jail holding cell. Detective Isaac Washington would not tell me why I was in custody or why I was arrested. He kept forcing me to sign a Rights Waiver. I said No.

PRIOR LAWSUITS – Have you ever sued anyone for this exact same event?

No. First time arrested for Attempted Murder.

Yes, attached is a copy of the final judgment OR an additional sheet listing the court, case number, file date, judgment date, and result of the previous case(s).

RELIEF – If you win this case, what do you want the court to order the defendant to do?

Replace and pay for all items taken and destroyed during E.L.P.D. illegal search and Seizure warrant, financial compensation for damage to vehicle that was towed and torn apart during investigation and compensation for Pain and Suffering > 3 months in Lake County Jail.

FILING FEE – Are you paying the filing fee?

Yes, I am paying the \$402.00 filing fee. I understand that I am responsible to notify the defendant about this case as required by Federal Rule of Civil Procedure 4. [If you want the clerk to sign and seal a summons, you need to prepare the summons and submit it to the clerk.]

No, I am filing a Motion to Proceed In Forma Pauperis and asking the court to notify the defendant about this case.

[Initial Each Statement]

E.P. I will keep a copy of this complaint for my records.

E.P. I will promptly notify the court of any change of address.

E.P. I declare under penalty of perjury that the statements in this complaint are true.

Eriberto Diaz
Signature

4-25-2023

Date

I told Detective Washington I had a right to know why I was there. He said I was under investigation for attempted murder of someone. He said they had me on video from McKinley Elementary School across from my residence 4842 Magoun Av. E. Chicago. I told Detective Washington he was mistaken it was not me he saw on camera and I did not own any of the items he claimed. A hoodie Tan and other items.

I told him I wanted my Attorney. I realized E. C. P. D violated my rights and arrested the wrong person.

I was transferred to Lake County Jail where I remained for 3 months until bail was paid, on July 9, 2021.

My Attorney Robert Varga found all evidence that Detective Washington failed to investigate properly and ignore evidence that showed I was innocent.

Detective Washington on police report failed to identify my address. And created a false

location. 4810 magoun Av. R. Chicago
a green House. The only Green
house on my Block. To Creat probable
cause to get the warrant and Search
warrant. Since the judge who signed
the probable cause waverents did not
know the location was ficticous
they got away with using the right
address. 4842 in the middle of
the Block. 4810 Green house is
at the end of the block.

All of the things my attorney
questioned the Prosecutor to where
they had to dismiss. The Evidence
including Video. Showed and Proved
It was NOT ME. Eriberto Flores.

So a judgement of Dismissed in the
interest of Justice. A copy inclosed.

I don't know what became of this
case. But the prosecutors office did
have the name of the real person
who did this crime. Julian Mejia.

I believe it was also the reason why
they had to dismiss. Detective Washington
was showing a picture of me which the Victim
and witnesses never could identify.
Because It wasn't me!

7. School City of East Chicago has since April 29th 2021 changed the policy of giving Video to Police. It was only to be given with a Supena or warrant by Legal manners. ~~Det~~

8. Ricardo "Ric" Chavarria gave Video from McKinley elementary school in East Chicago to Detective Washington without being Supena as to what Policy was. Ric Chavarria also identified the Green House as My residence on the Police reports. Ric Chavarria is an EX Police Officer for the City of East Chicago. He retired while other officers where being investigated by the F.B.I.

I believe he is a part of me being accused of crime because it was a way to retaliate against me for him leaving the force. He also saw and took advantage of the negative publicity it caused for my upcoming 2022 election which He and other school employees tried to gain ~~to~~ my Position by Slander and Defamation of character.

9. John Cantrell told me he seen the Video and I'm going to prison. He also gave the Video to Reggie Tisdale to Show to people. So I would Lose my election. John Cantrell has nothing to do with an on going investigation at that time. How does He get access to this Video?

10. Reggie Tisdale took Video and Show it to my Constituants trying to convince them that I was the person on the Video. I accuse Reggie Tisdale of Defamation of Character for self political gain. A letter is attached from Reggie Tisdale to registered Voters. Witnesses will come forward